

USDA  
OALJ/OHC

2011 NOV -2 AM 11:48

RECEIVED

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Keith Rabon,

Hoyt Rabon d/b/a Hoyt Rabon Stables, and

Howard Bellamy,

Respondents.

)  
)  
)  
)  
)  
)

HPA Docket No.11-0432

Consent Decision  
And Order

**Consent Decision and Order as to Howard Bellamy**

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. §§ 1821-1831), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent Howard Bellamy admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

**Conclusions**

1. Respondent Howard Bellamy is an individual whose mailing address is 966 Folly Road, Myrtle Beach, South Carolina 29588. At all times mentioned herein said respondent was a co-owner of the horse known as "Then Came Sunday."

2. On July 13, 2007, respondent Howard Bellamy entered for the purpose of showing or exhibiting the horse known as "Then Came Sunday" as entry number 345 in class number 22, at the Land-O-The-Sky Horse Show in Asheville, North Carolina.

3. On July 13, 2007, respondent Howard Bellamy allowed the entry for the purpose of showing or exhibiting the horse known as "Then Came Sunday" as entry number 345 in class number 22, at the Land-O-The-Sky Horse Show in Asheville, North Carolina.

Respondent Howard Bellamy having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.


#### Order

1. Respondent Howard Bellamy is disqualified for eight months from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale or auction. "Participating" means engaging in any activity beyond that of a spectator, and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas, or in any area where spectators are not allowed, and financing the participation of others in equine events.

2. Respondent Howard Bellamy is assessed a civil penalty of \$1,000.

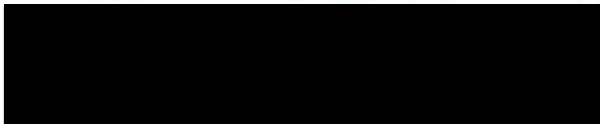
This order shall have the same effect as if entered after a full hearing and shall become effective upon issuance on the respondent.

Copies of this decision shall be served upon the parties.

  
Howard Bellamy  
Respondent

  
Frank Martin, Jr.  
Attorney for Complainant

Done at Washington, D.C.  
this 14 day of November, 2011

  
Administrative Law Judge